

In sum—we do not want an underperforming, undersaving, under-investing American economy any more than you do—if only because a weakened American economy will trigger off strong protectionist tendencies in the United States.

THE U.S. AS AN INFLUENCE ON EAST ASIAN
DEMOCRATIZATION

Ladies and gentlemen:

Over the past half-century, a spacious sense of its self-interest has impelled the United States to help shape East Asian development—in fact, to make East Asian development happen.

And this enlightened self-interest derives from the very idea that is America. Its Founding Fathers saw their country as a venture greater than just another national enterprise. They saw their country as bringing a message of revolutionary enlightenment to all humankind.

That revolutionary message has not lost its relevance—particularly for East Asian people who—as they become richer and more secure—are demanding respect from their rulers—and a say in how they are governed.

Authoritarian regimes may seek their legitimacy by sponsoring capitalist growth. But economic development cannot—forever—substitute for democracy. And it is to the idea of America that East Asia looks—in its groping for freedom. Look at how the Chinese student-militants of 1989 dared to raise a 30-foot plaster model of the Statue of Liberty on Tiananmen Square.

During the cold war, America was sometimes accused of a cynical willingness to sacrifice democracy abroad to preserve democracy at home. Now, at last, America can reconcile power and morality in its foreign relations.

Despite a decline in its relative wealth, capacity and influence, the United States today is the world's only superpower. And it is at the cutting edge of a revolution in both military technology and doctrine which promises to preserve its military preeminence in the world for at least another generation.

Because of its hegemonic power, America “can afford the luxury of attending to principle.”

America can be to the world what its founders meant it to be—the ultimate refuge of all those “yearning to breathe free.”

WORTHWHILE CAUSES FOR AMERICAN IDEALISM

And—although the ideological challenge from messianic communism has collapsed—there is no lack of worthwhile causes for American idealism.

We are as far away from a stable—and moral—international order as we were at the end of World War II. Far too many regions of the world are still subject to regimes of varying barbarism; while other national societies are disintegrating in anarchy.

If only America can gather its resolve, it can also lead the global community to begin dealing with the tremendous income disparities among nations—and alleviating the mass-poverty of regions like South Asia and sub-Saharan Africa.

Then there is the care and protection of the global environment—a task so susceptible to the free-rider axiom that it needs exceptional leadership to organize effectively and equitably.

In these vital missions of reawakening America to its historical role—and of propagating in the Asia-Pacific the ideals and values America stands for—this center of intellect and scholarship will continue to play an ever-increasing role.

Throughout its time on Earth, humankind has been striving for the ideal society. Unless we of the Asia-Pacific and America embark on a win-win Direction, that ideal may forever remain beyond our grasp.

But, if America remains true to its original sense of revolutionary enlightenment, perhaps it can lead the world to approximate that ideal: To banish pain and fear and hunger—to bring a measure of peace and prosperity to every region—to enable every nation to discover the extraordinary possibilities of ordinary people.

Thank you and good day!

PROTECTING PROPERTY RIGHTS

Mr. HATCH. Mr. President, as my colleagues are aware, I have introduced legislation to reform the way property owners are treated by the Government. My legislation would encourage, support, and promote the private ownership of property by clarifying existing laws and creating a more uniform and efficient process by which these rights are protected. In short, it seeks to protect the rights of citizens as envisioned by the Framers of the Constitution.

Recently, however, critics have misinterpreted some of the bill's provisions. For example, some have stated that this bill would cost the taxpayers billions of dollars to implement or that it would force the Government to pay polluters to clean up their act. These fears are not warranted.

I was encouraged by an editorial in Salt Lake City's Deseret News headlined “Enough with half-truths about property rights bill.” This editorial dispels the myths and misconceptions about property rights legislation. I commend it to my colleagues. Mr. President, I ask unanimous consent that the text be printed in the RECORD.

There being no objection, the text of the editorial was ordered to be printed in the RECORD, as follows:

[From the Salt Lake City Deseret News,
Nov. 20, 1995]

ENOUGH WITH HALF-TRUTHS ABOUT PROPERTY
RIGHTS BILL

Politicians and activists must think they are terribly clever when they toss around inaccuracies and inflated half-truths in order to win public sentiment.

Take, for instance, the attacks on Sen. Orrin Hatch's omnibus Property Rights Act, which is set to break out of the Judiciary Committee before Thanksgiving. In recent days, critics, including President Clinton, have ranted about the Utah's senator's attempts, through the bill, to force the government to “pay polluters” to clean up their operations. They have carried on about the bill's enormous costs to government (some have placed the figure in the tens of billions of dollars).

These are arguments certain to strike fear in the heart of every sober-minded American concerned with the environment and taxes—just in time for Halloween. Trouble is, they are as hollow as jack-o'-lanterns.

Critics are conveniently overlooking this sentence in the bill: “The government is not required to pay compensation in cases when the property is a nuisance.” Whoops.

Polluters, by anyone's definition, are nuisances. If the government can prove the item in question—say, a belching smoke stack or a toxic waste dump—is a nuisance, it won't have to pay compensation. No one will be paying polluters, after all.

Critics also are overlooking, or perhaps ignoring, a study recently released by the Congressional Budget Office showing the bill

would cost only up to \$40 million annually, and then only for the first few years. After that, costs would drop because agencies would avoid actions that could lead to protests by property owners. Whoops, again.

The bill is a reasonable attempt to clarify and solve a conundrum as old as the republic. While the Fifth Amendment prevents the taking of private property for public use without compensation, government must retain the right to pass regulations for the greater good of society.

Justice Oliver Wendell Holmes set the current standard for this balancing act in a 1922 Supreme Court ruling when he said, “. . . if regulation goes too far, it will be recognized as a taking.”

Hatch's bill merely attempts to define “too far,” and it would make the burden of protesting such takings less onerous for the average citizen.

Horror stories abound of small-property owners who find they can't build on their land because of wetlands or endangered species regulations. Critics have tried to diminish the impact of these stories, but they can't explain away the witnesses who have testified of them at congressional hearings. Environmental laws are indeed important and necessary, but so are property rights.

So far, 18 states have passed similar compensation laws. The House recently passed a bill that in some ways goes farther than Hatch's version. It would compensate anyone whose property was diminished in value by 20 percent, while the Hatch version requires owners to prove a 33 percent loss.

No doubt, Congress eventually will pass a compromise version of the two bills. When it does, the planet will not spin off its axis.

The Hatch bill is not above reproach. For example, it would prohibit agencies from entering private property without the consent of the owner—a prohibition that could keep the government from ever gathering facts about a nuisance.

Critics of the Property Rights Act should read it sometime, rather than amusing themselves with strange fictions.

HE PUT OUR RIGHT TO LIVE OVER
OUR RIGHT TO KNOW

Mr. HELMS. Mr. President, in early October John Scali died, the obituaries stated, of heart failure—which is interesting because John Scali was a gentleman known by his friends as being “good-hearted.” I had known John for many years in many ways and I never heard him boast, even once.

John Scali had a quiet greatness that carried him to a distinguished career as an honorable and objective journalist for ABC television, later as an adviser to President Nixon, and then as successor to George Bush as U.S. Ambassador to the United Nations.

I first met John Scali during his and my television days; he with ABC-TV in Washington and I with WRAL-TV in Raleigh. When I was elected to the Senate in 1972 John was one of the first to call. When I arrived in the Senate in January 1973 as a new boy on the block, I saw John Scali more often. He stopped by many times, seldom for an interview but mostly as a friend.

There were a few lines in a few obituaries about John that deserved more attention than they got concerning John Scali's remarkable involvement